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Notes for an Address by
The Honourable Anne McLellan
Minister of Justice and
Attorney General of Canada

At a Breakfast for the Famous 5 Foundation

Hull, QC
October 17, 2000

As delivered

Introduction

Thank you, Faye, for those kind words of welcome.

Good morning ladies and gentlemen.

It is a pleasure to be here this morning - to join with you in celebrating the anniversary of the Persons Case and the remarkable contributions of five women from Alberta - Henrietta Muir Edwards, Louise McKinney, Irene Parlby, Nellie McClung and Emily Murphy - whom we celebrate today as the Famous Five.

I was probably invited to speak to you today in a number of different capacities - as an Albertan, a lawyer, a politician, and as a woman - on the impact and influence of the Famous Five.

Like all of you, I am looking forward with great anticipation to tomorrow's unveiling of Barbara Paterson's inspirational statue.

The placement of this monument on Parliament Hill is particularly significant, as it is a fitting reminder of how far women have come in the political life of the nation since five strong-willed, independent Albertans decided that women should be included within the definition of "persons", for the purpose of appointment to the Senate of Canada.

Pride in progress

Today there are 60 women Members of Parliament.

In the Senate, the original battleground for the Famous Five, there are now 34 women Senators. I am very proud that of the 51 Senators named by our government, 25 have been women.

And of 35 Cabinet Ministers and Secretaries of State, 9 are women.

And, finally I'm pleased to report that 1/3 of new judicial appointments are women.

As a lawyer, I am pleased to note that since entering Law School in 1971 at Dalhousie (I was one of 25 women out of a class of 150) – more and more women have chosen law as their career.

Today, women make up somewhere between 45 and 50 per cent of first year law students and almost 50 per cent of the students called to the Bar are women.

More generally, as a woman living in Canada, I am pleased that we have celebrated so many remarkable firsts since the Famous Five; our first female Prime Minister and two female Governors General, our first female Chief Justice of the Supreme Court of Canada, the first Canadian woman in space, and the list goes on.

Persons Case

I do not intend to say a lot about the Persons' Case – in an earlier life, as a law professor of the University of Alberta, I took the opportunity on the occasion of the 60th Anniversary of the Case to discuss the social and legal significance of the case.

But let me say that this case was driven by the indomitable spirit, energy and resolve of the Famous Five. When political doors were closed (or even slammed) they chose their only other avenue of recourse – the Courts – and after being rebuffed by the Supreme Court of Canada – the Judicial Committee of the Privy Council - led by a truly outstanding jurist – Lord Sankey, turned aside narrow, technical rules of statutory interpretation and placed the definition of the word "persons", for the purpose of appointment to the Senate, in a broader, societal context. By doing so he brought into our constitutional jurisprudence the single most important principle of constitutional interpretation.

Lord Sankey said the Constitution, "planted in Canada a living tree capable of growth and expansion within its natural limits."

Struggle continues

Before I introduce the Chief Justice, I would ask us to remember that even as we celebrate, we must acknowledge that the struggle for equal opportunity is not yet over.

It is, in part, because of landmark events like the Persons Case, that women today have choices. However, until women who want to exercise their choices feel empowered to do so, the goal of equal opportunity will not be achieved. As individuals and as a society, we must respect and support the choices women make in their lives.

For every Nellie McClung or Irene Parlby, there are thousands of unsung heroines – less flamboyant and renowned, to be sure, but no less treasured for their daily contributions to the betterment of our society.

Introduction of Chief Justice

It is now my pleasure to introduce the Chief Justice of Canada, the Honourable Beverley McLachlin.

Indeed, it is a tribute to her long record of accomplishment, and the esteem in which she is held by academics and the legal profession, that her appointment was praised, unanimously.

Chief Justice Beverley McLachlin was appointed Chief Justice of the Supreme Court of Canada on January 7th of this year. The 1st woman to hold this office, she has shown leadership in her efforts to improve public understanding of the role of the Supreme Court and the judiciary, as a whole, in our legal system. Her work has helped Canadians to understand the fundamentally important role the courts play in our lives.

In addition, the Chief Justice is a tireless worker around the world in furthering the cause of judicial independence and respect for the rule of the law.

Please join me in welcoming the Chief Justice of Canada – by happy coincidence, another fellow Albertan – the Honourable Beverley McLachlin.

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